

1400 South 19th Avenue Bozeman, MT 59718

February 11, 2014

To: Governor's Office, Sheena Wilson, State Capitol, Room 204, P.O. Box 200801, Helena, MT 59620-0801 Environmental Quality Council, State Capitol, Room 106, P.O. Box 201704, Helena, MT 59620-1704 Dept. of Environmental Quality, Metcalf Building, P.O. Box 200901, Helena, MT 59620-0901 Dept. of Natural Resources & Conservation, P.O. Box 201601, Helena, MT 59620-1601 Montana Fish, Wildlife & Parks:

Director's Office Parks Division Lands Section FWP Commissioners Fisheries Division Legal Unit Wildlife Division Design & Construction MT Historical Society, State Historic Preservation Office, P.O. Box 201202, Helena, MT 59620-1202

MT State Parks Association, P.O. Box 699, Billings, MT 59103

MT State Library, 1515 E. Sixth Ave., P.O. Box 201800, Helena, MT 59620

James Jensen, Montana Environmental Information Center, P.O. Box 1184, Helena, MT 59624

Janet Ellis, Montana Audubon Council, P.O. Box 595, Helena, MT 59624

George Ochenski, P.O. Box 689, Helena, MT 59624

Jerry DiMarco, P.O. Box 1571, Bozeman, MT 59771

Montana Wildlife Federation, P.O. Box 1175, Helena, MT 59624

Wayne Hurst, P.O. Box 728, Libby, MT 59923

Jack Jones, 3014 Irene St., Butte, MT 59701

Skyline Sportsmen, PO BOX 173, Butte, MT 59701

Montana TU, PO Box 7186, Missoula, MT 59807

George Grant TU, P.O. Box 563, Butte, MT 59702

Ladies and Gentlemen:

Montana Fish, Wildlife and Parks (FWP) proposes to convey ownership of approximately 0.33-acre (thirty-three hundredths of an acre) of the 35-acre Powerhouse FAS to the Montana Department of Transportation (MDT). This land constitutes less than 1% of the fishing access site, and will be used by MDT as part of the designated right of way for the reconstruction of an existing bridge that spans the Big Hole River between state Highway 43 and the Powerhouse FAS. The land to be conveyed to MDT will not be fenced off, and public use of the slope down to the river will still be allowed. Only a small portion of the conveyed land (approximately one-tenth of an acre adjoining the roadway) will be impacted by the bridge reconstruction activities. The popular boat ramp on the north side of Powerhouse Road will not be affected by the conveyance of this small parcel on the south side of the road.

MDT will compensate FWP for the fair market value of the land. An appraisal has established this value as \$3,000. These funds will be deposited in FWP's real property trust account, a permanent account that generates funds for FWP land management activities.

Comments may be:

Emailed to: rheagney@mt.gov

Phoned to: Ray Heagney at (406) 994-6987

Or Mailed to: Montana Fish, Wildlife & Parks

Region 3, Attn: Ray Heagney 1400 S. 19th Avenue

1400 S. 19th Avenue Bozeman, MT 59718

Comment period will run for 21 days, beginning February 11, 2014. Comments must be received by FWP no later than 5:00 p.m. on Monday, March 3, 2014.

Thank you for your interest.

Sincerely,

Patrick J. Flowers Region Three Supervisor

Attachment

Montana Fish, Wildlife & Parks Region 3 - Bozeman

ENVIRONMENTAL ASSESSMENT

Powerhouse Fishing Access Site:
Proposed Right-of-Way Conveyance

PART 1. PROPOSED ACTION DESCRIPTION

Project Title: Powerhouse Fishing Access Site: Proposed Right-of-Way Conveyance

Project Location: Powerhouse Fishing Access Site (FAS) is located along the Big Hole River about two miles west of Divide in Silver Bow County, in Section 11, Township 1 South, Range 10 West.



Figure 1. Powerhouse Fishing Access Site (in red)

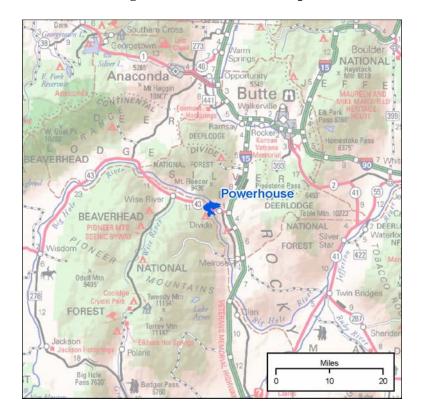


Figure 2. Site Location Map

Proposed Action:

Montana Fish, Wildlife and Parks (FWP) proposes to convey ownership of approximately 0.33-acre (thirty-three hundredths of an acre) of the 35–acre Powerhouse FAS to the Montana Department of Transportation (MDT). This land constitutes less than 1% of the fishing access site, and will be used by MDT as part of the designated right of way for the reconstruction of an existing bridge that spans the Big Hole River between state Highway 43 and the Powerhouse FAS. The land to be conveyed to MDT will not be fenced off, and public use of the slope down to the river will still be allowed. Only a small portion of the conveyed land (approximately one-tenth of an acre adjoining the roadway) will be impacted by the bridge reconstruction activities. The popular boat ramp on the north side of Powerhouse Road will not be affected by the conveyance of this small parcel on the south side of the road.

MDT will compensate FWP for the fair market value of the land. An appraisal has established this value as \$3,000. These funds will be deposited in FWP's real property trust account, a permanent account that generates funds for FWP land management activities.

History:

The Montana Department of Transportation has determined that the bridge connecting Powerhouse Road on the east side of the Big Hole River to Highway 43 on the west side requires reconstruction and improvement. The bridge work will include replacement of the bridge deck, installation of new rails, and installation of a "new prefabricated pony truss with a concrete deck that will help maintain the historic integrity of the bridge."

MDT analyzed this bridge reconstruction through its environmental review process and prepared a document, dated January 23, 2013, titled "Categorical Exclusion, BIGHOLE RIVER-3 M W OF DIVIDE, BH 9047(25), Control Number: 6292000." MDT determined that the bridge reconstruction would not cause any significant individual, secondary or cumulative environmental impacts, and on October 31, 2013, requested concurrence from the Federal Highway Administration for the Categorical Exclusion.

Scope of the FWP Environmental Assessment:

The scope of this environmental assessment by Montana Fish, Wildlife and Parks is to analyze any potential impacts from the proposed conveyance by FWP of 0.33 acres to MDT. This FWP environmental assessment is not intended to analyze the impacts of the MDT bridge reconstruction project, as previously reviewed by MDT.

Environmental Assessment narrative:

The proposed action is a change of ownership of 0.33 acres from FWP to MDT. The majority of the land consists of a slope between the Big Hole River and the road-bridge level. This slope will not be affected by the ownership change or by the bridge reconstruction project. The northern portion of the parcel (estimated one-tenth acre) may be used for construction and roadway-border purposes. This area currently adjoins the existing roadway, and provides virtually no recreational use.

Figure 3. Aerial photo showing Big Hole River, bridge and FWP boat ramp The small parcel of land to be conveyed to MDT is located south of the bridge. The boat ramp and remainder of the 35-acre fishing access site are located north of the bridge.

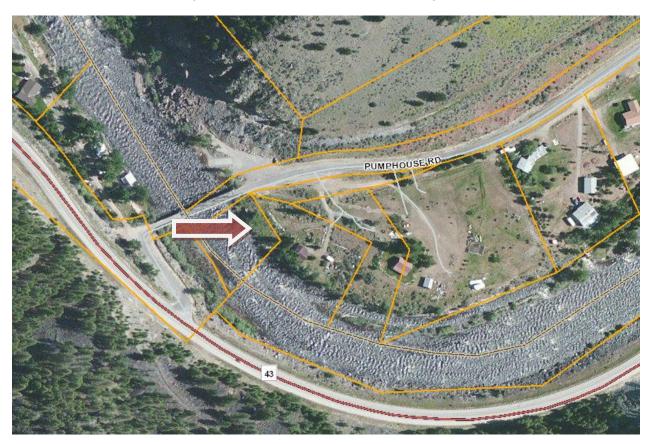
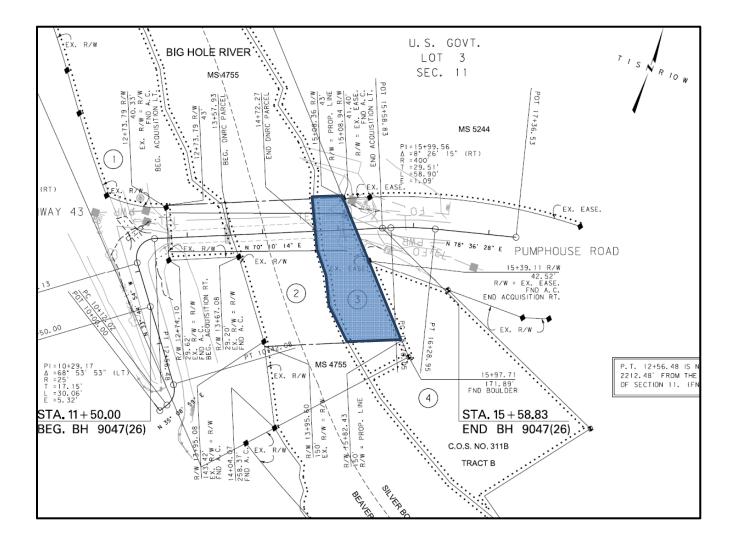


Figure 4. MDT Plan Sheet showing FWP property to be conveyed

This 0.33-acre parcel is located entirely south of the bridge. As shown below, some of the parcel is already covered by the existing Powerhouse Road.



PART 2. ENVIRONMENTAL REVIEW CHECKLIST

Table 1. Potential impact on physical environment.

Will the proposed action result in potential impacts to:	Unknown	Potentially Significant	Minor	None	Can Be Mitigated	Comments Provided
Unique, endangered, fragile, or limited environmental resources				X		
2. Terrestrial or aquatic life and/or habitats				X		
3. Introduction of new species into an area				X		
4. Vegetation cover, quantity and quality				X		
5. Water quality, quantity and distribution (surface or groundwater)				X		
6. Existing water right or reservation				X		
7. Geology and soil quality, stability and moisture				X		
8. Air quality or objectionable odors				X		
9. Historical and archaeological sites				X		
10. Demands on environmental resources of land, water, air & energy				X		
11. Aesthetics				X		

Comments

Table 2. Potential impacts on human environment.

Will the proposed action result in potential impacts to:	Unknown	Potentially Significant	Minor	None	Can Be Mitigated	Comments Provided
Social structures and cultural diversity				X		
2. Changes in existing public benefits provided by wildlife populations and/or habitat				X		
3. Local and state tax base and tax revenue				X		
4. Agricultural production				X		
5. Human health				X		
6. Quantity and distribution of community and personal income				X		
7. Access to and quality of recreational activities				X		
8. Locally adopted environmental plans & goals (ordinances)				X		
9. Distribution and density of population and housing				X		
10. Demands for government services				X		
11. Industrial and/or commercial activity				X		

Comments

Environmental Impact Statement Determination

Does the proposed action involve potential risks or adverse effects, which are uncertain but extremely harmful if they were to occur? No

Does the proposed action have impacts that are individually minor, but cumulatively significant or potentially significant? No

The transfer of ownership of a small portion of the Powerhouse FAS to MDT would not have any impacts to the public's use of the facilities at the FAS or access to the Big Hole River. The transfer would not contribute to any impacts to the physical or human environment, thus an EA is the appropriate level of analysis and the preparation of an EIS is not warranted.

Alternatives:

<u>No-Action Alternative</u>: Under the no-action alternative, FWP would not convey the land to MDT. However, MDT would have the ability to condemn the land as needed for bridge construction purposes.

<u>Right of Way Alternative</u>: FWP could provide a right-of-way easement to MDT, rather than conveying land ownership. However, the amount of land to be conveyed is extremely small, and MDT prefers to own its right-of-way areas, as that promotes more efficient highway management in the event of future needed activities.

<u>Preferred Alternative</u>: FWP's preferred alternative is to convey the land to MDT through the transaction described in this environmental assessment. This way, FWP consolidates its ownership north of the Powerhouse Road; receives compensation to the real property trust to assist with managing this and other public sites; and does not have to own property that is encumbered by a bridge approach/roadway. Also, the public will still have access to the river through the parcel that will be transferred to MDT ownership.

Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency: None

EA Prepared by:

Ray Heagney, Region 3 FAS Coordinator, Fisheries (Bozeman) Hugh Zackheim, Lands Program Manager -(Helena)

Offices contributing to the EA: MDT, Helena MT

Comments may be:

Emailed to: <u>rheagney@mt.gov</u>

Phoned to: Ray Heagney at (406) 994-6987

Or Mailed to: Montana Fish, Wildlife & Parks

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